

determining a ratio of aggregate excitation measures of the individual input channels of the multi-channel input audio signal; and
determining not to encode the portion using joint channel coding if the ratio exceeds a threshold.

6. (Previously presented) The method of claim 1 wherein said measuring and determining comprise:

determining a ratio of expected noise-to-excitation ratio measures of the individual input channels of the multi-channel input audio signal; and
determining not to encode the portion using joint channel coding if the ratio exceeds a threshold.

7. (Previously presented) The method of claim 1 further comprising determining not to encode the portion using joint channel coding if a ratio of an excitation pattern-based measure of individual input channels of the multi-channel input audio signal exceeds a first threshold, and a smaller of the excitation pattern-based measures does not exceed a second threshold.

8. (Original) The method of claim 1 wherein said method is performed as an open-loop process.

9. (Currently Amended) ~~A data-carrying medium having a compressed audio stream produced by the~~ The method of claim 1 ~~carried thereon~~ further comprising storing the encoded audio data.

10. (Previously presented) A transform-based audio encoder, comprising:
a multi-channel transformation component operative to perform a multi-channel transformation on multiple individual channels of a multi-channel audio input signal to produce joint coding channels;
a transform-based encoding component operative to encode multiple coding channels into a compressed data stream;

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